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PROCEDURE FOR THE ESTABLISHMENT OF COMMUNITY JUNIOR COLLEGES IN ARKANSAS.

ARKANSAS STATE COMM. ON COORD. OF HIGH. ED.FINANCE

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CRITERIA FOR ESTABLISHMENT OF JUNIOR COLLEGE DISTRICTS IN ARKANSAS INCLUDE (1) A PROJECTED ENROLLMENT OF AT LEAST 300 FULL TIME EQUIVALENT STUDENTS IN THE THIRD YEAR OF OPERATION, (2) ASSESSED VALUATION ADEQUATE TO PROVIDE FROM LOCAL PROPERTY TAXES ONE-THIRD OF THE ANNUAL OPERATING COST AND THE TOTAL DEBT SERVICE REQUIREMENTS FOR CAPITAL OUTLAY, (3) DISTRICT SIZE WHICH PROVIDES A MAXIMUM ONE-WAY COMMUTING TIME OF ONE HOUR, (4) A SITE OF AT LEAST 40 ACRES PLUS TWO ACRES FOR EACH 100 FULL TIME EQUIVALENTS, WITH ADEQUATE ZONING, TOPOGRAPHY, AND ACCESSIBILITY, (5) PROGRAMS OF TRANSFER COURSES, OCCUPATIONAL CURRICULA, AND CONTINUING EDUCATION, (6) BUILDING DESIGN WHICH CONFORMS TO A LONG RANGE MASTER PLAN, MEETS REQUIREMENTS OF APPROPRIATE CODES, IS SUITABLE FOR THE PROGRAMS AND ACTIVITIES OF THE COLLEGE, AND IS ECONOMICAL AND FLEXIBLE, AND (7) A PRESIDENT WITH A COMMITMENT TO AND EXPERIENCE IN THE COMMUNITY COLLEGE PROGRAM. JUNIOR COLLEGES ARE CONTROLLED BY LOCAL BOARDS, AND OPERATING EXPENSES ARE SHARED EQUALLY BY THE STATE, THE LOCAL DISTRICT, AND THE STUDENT. THE STEPS REQUIRED FOR ESTABLISHING A COMMUNITY COLLEGE ARE DESCRIBED, AND THE TEXT OF THE ENABLING LEGISLATION IS INCLUDED. (WO)

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State of Arkansas
COMMISSION ON COORDINATION OF HIGHER EDUCATIONAL FINANCE

UNIVERSITY OF CALIF.
LOS ANGELES

OCT 06 1966

CLEARINGHOUSE FOR
JUNIOR COLLEGE
INFORMATION

LITTLE ROCK, ARKANSAS

U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE
OFFICE OF EDUCATION

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JC 660 038

PROCEDURE FOR THE ESTABLISHMENT OF COMMUNITY JUNIOR COLLEGES IN ARKANSAS

Prepared for Interested Local Citizens' Groups

The Commission on Coordination of Higher Educational Finance

April, 1965

WHAT IS A COMMUNITY JUNIOR COLLEGE?

According to the Act which enables districts to establish community junior colleges, this institution is defined as "an educational institution established or to be established by one or more counties or cities, of this State and offering specialized or comprehensive programs of instruction extending not more than two (2) years beyond the high school level, which may include but need not be limited to courses in technological and occupational fields or courses in the liberal arts and sciences, whether or not for college credit."

The State Coordinating Board, as established by the Act, is the Commission on Coordination of Higher Educational Finance.

Program of Studies

The needs of the local district population should always dictate the type of programs offered by a community junior college. Basically, there should be three different types of programs which include college transfer courses, occupational courses, and continuing education courses for adults. All types of programs should be offered at the time or times when there are enough students to justify the course.

College work would be designed for both terminal and transfer students. Terminal work would include such programs as secretarial science, laboratory technology and other occupational programs justified by community needs. Occupational programs include both vocational and technical courses. College transfer work would include the usual basic courses designed for the freshman and sophomore years of college. Occupational courses would be considered as terminal work and would be designed to prepare students for specific vocations. Occupational programs follow a multitude of patterns and are designed for youth, adult workers in the prime of life, and older workers. These programs help individuals obtain their first jobs, aid employed workers in bringing their technical information up to date, and train workers for positions of greater responsibility.

Financing the College

Because the institution will be a community junior college, the local district will share the expenses with the state and with its students. The maximum tax which can be levied by the local district for operation and capital outlay will be ten mills. All capital costs will be the responsibility of the local community junior college district. The cost of general operations will be equally divided among student fees, taxes levied by the district, and state general revenues. There are federal and other funds which are available to community junior colleges for both operation and capital outlay which will reduce the amount the local district, the student, and the State will have to provide toward the overall development and operation of the college.

Student Cost

Approximately one-third of the total educational and general operating budget will be supported by student tuition. The tuition will be established by the local board based upon the actual annual operating costs. Out-of-district students will pay tuition which will be twice the amount of the local district resident. In addition, the local governing board is authorized to charge an activity fee up to a maximum of

twenty dollars ($20.00) per semester. The amount of this fee will be determined by the actual cost of the student activity program. Students who enroll in continuing education courses for adults will be charged a fee which will vary with the cost of offering the course.

STEPS REQUIRED IN ESTABLISHING A COMMUNITY JUNIOR COLLEGE

The following steps must be taken during the process of establishing a community junior college:

1. A group which is broadly representative of the people in the proposed district must make a request to the State Coordinating Board.
2. The State Coordinating Board must determine that the proposed district meets minimum financial and population criteria.
3. The local group must seek an acceptable site.
4. The proposed site must be approved by the State Coordinating Board.
5. The local group with assistance of the State Coordinating Board must conduct a survey to determine specific post high school educational needs of the proposed district.
6. A tentative budget is prepared and needed millage computed.
7. After the above steps have been accomplished, the local group must make a request to the State Coordinating Board for permission to petition for an election in the proposed district.
8. The petition is submitted to the Secretary of State for certification.
9. After the petition has been certified by the Secretary of State, an election is called.
10. The election is held.
11. An initial local governing board is appointed by the governor. Subsequent members will be elected.
12. The local board organizes and selects officers.
13. A President is employed.
14. A budget is prepared and planning funds released.
15. The approved site is acquired.
16. An architect is appointed and building planning begun.
17. Plans are approved and financing arranged (bond issues, federal funds, etc.).
18. Contracts are let.
19. Staff is employed and students recruited.
20. College opens.

CRITERIA FOR THE ESTABLISHMENT OF A COMMUNITY JUNIOR COLLEGE DISTRICT

Section 5 of the Act states that "upon request of a citizens group, representing a proposed Community Junior College District, the State Junior College Board shall assist in the study of such proposed District to determine whether its formation would meet the requirements of this Act and the criteria established by the State Board for the formation of such District."

The following requirements are those found in Section 7 of the Act, and the criteria adopted by the "State Community Junior College Board" at its meeting on April 9, 1965:

1. **The minimum number of full-time equivalent students:** There shall be a minimum of 300 full-time equivalent students enrolled in the third year of operation. A proposed District shall be considered as having a potential of 300 junior college students if it has a current enrollment of 1,200 students in grades 10, 11 and 12. However, if a District is near this lower limit, it should also demonstrate a high potential for future growth based on population and economic trends in the District.

2. **Adequate local financial support:** The proposed millage, times the assessed evaluation* of personal and real property within the proposed District, should equal at least one-third of the annual operating cost and the total annual debt service requirements for capital outlay.

   The estimated initial operating cost will be determined by developing a tentative budget, based upon approximately $500 per estimated full-time equivalent student. However, justified technical programs may increase the cost above the $500 level.

   The estimated initial debt service requirements will be based upon a capital outlay cost of $2,500 per full-time student. However, justified technical programs may increase the cost above the $2,500 level.

3. **Size of District:** The size of the District should be such that the one-way commuting time for any student shall not exceed one hour. Insofar as possible, the District shall include all students living within commuting distance of the proposed college.

4. **Location and type of site:** The minimum site size should be forty (40) acres, plus two (2) acres for each 100 full-time equivalent students projected ten (10) years in advance. The location of the site shall be easily accessible to the main arteries of traffic; shall be located near the greatest population concentration in the District; and as near the center of the District as possible; shall be easily accessible to public and private transportation; and shall have topography such as to insure economical construction. The site shall be generally rectangular in shape, and the area around the site should be zoned to protect the site against undesirable encroachments. Availability of utilities and police and fire protection should also be considered.

5. **Nature and extent of programs:** The program of studies of the Community Junior College shall include those areas which best

serve the needs of the local District population. Three (3) basic types of course work will be offered. These include college transfer courses, occupational courses and continuing education for adults. When the need exists, all of these could be offered in both day and evening classes. The local committee, assisted by the State Board, shall conduct a survey to determine the specific needs of the local community in each of the above areas. All public and community colleges shall be planned and operated in such a fashion that they may meet the requirements for accreditation by the North Central Association of Colleges and Schools at the earliest possible date. Local boards should plan to be ready for an accreditation visit within five (5) years after the beginning of instruction.

6. **Sizes and types of buildings:** The sizes and types of buildings for a Community Junior College shall:

   (a) Be designed and constructed in accordance with a long range campus development plan;

   (b) Conform with requirements of appropriate building codes and health and safety regulations;

   (c) Be designed to house approved programs and activities of the college;

   (d) Be designed for economy and for flexibility of space; and

   (e) Insofar as possible, be planned to accommodate projected enrollments ten (10) years in advance.

7. **The President:** The success of a Community Junior College is largely dependent upon the ability and understanding of the chief administrative officer. The Local Board shall seek a person of the highest ability and moral character for the office of President. The President shall hold at least a Master's Degree, shall have training and/or experience in the junior college or a related type of education, and shall have a commitment to the Community Junior College program. The Local Board shall consult with and have the advice of the "State Community Junior College Board" in the selection and employment of the President.

CONDUCTING THE ELECTION

After the local citizens group working with the State Coordinating Board has established that the proposed district meets all the basic requirements for establishing the community junior college, a petition must be circulated prior to conducting an election.

Petition

The petition should describe the area of the proposed district, propose the maximum rate of millage to be levied for the support of the

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* As reported in **The Arkansas Assessment Report** published by the Arkansas Assessment Coordinating Department of the Public Service Commission.

district, and the amount of such millage that may be pledged for bonded indebtedness purposes of the district. The number to sign the petition must equal to at least 10 percent of all qualified electors of the district who voted for all candidates for governor in the last general election. After the petition has been signed by the required number of persons, it should be filed with the Secretary of State of the State of Arkansas.

Election

Within ten days after the Secretary of State has received the petition, he will notify the County Board(s) of Elections Commissioners when an election will be held in the described area on the petition. The date of the election will be not less than thirty days after the Secretary of State notifies the County Board(s) of Elections Commissioners. The election will be conducted by the regulations governing all special elections.

The design of the ballot should be the same as the following sample taken from the Act.

☐ FOR the establishment of a Community Junior College District. and authorizing the levy of a tax of not to exceed _____ mills on the taxable property of the district to be used for the support of such Community Junior College, and authorizing the pledging of not to exceed _____ mills of the aforementioned tax for the issuance of bonds at interest not to exceed four percent per annum, to mature not more than 30 years from the date of issuance, to provide funds for the construction and furnishing of buildings and facilities for such college.

☐ AGAINST the establishment of a Community Junior College District.

The ballot must contain all the following information:

1. The purpose of the election;
2. The names of county, counties, city, or cities in the proposed district;
3. The proposed rate of ad valorem tax to be voted on;
4. The purpose for which said tax will be used including the amount thereof to be pledged for bonded indebtedness.

In order for the community junior college district to be formed there must be a majority vote by each county or city which is included in the proposed district. If there is not a majority vote within any city or county, one year must lapse before another election can be held.

After the election, if the local community junior college district is approved by a majority of the citizens voting, the local governing board of nine members will be appointed by the Governor with the advice and consent of the Senate. At the expiration of the initial board members' terms, replacements will be elected from the district at large.

S. B. NO. 239 (Act 560)

A BILL FOR AN ACT TO BE ENTITLED:

AN ACT to Authorize the Establishment of Community Junior Colleges as Provided in Amendment 52 of the Constitution, Adopted at the November, 1964 General Election; to Provide the Method of Establishing Community Junior College Districts; for the Selection of Governing Boards Thereof; the Levy of Taxes Therefor; and for Other Purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS

SECTION 1. DEFINITIONS. As used in this Act:

(a) "Community Junior College" means an educational institution established or to be established by one or more counties or cities, of this State and offering specialized or comprehensive programs of instruction extending not more than two (2) years beyond the high school level, which may include but need not be limited to courses in technological and occupational fields or courses in the liberal arts and sciences, whether or not for college credit.

(b) "Capital outlay expense" means those funds devoted to or required for the a quisition and improvement of land; acquisition, construction, remodeling, alteration, addition or enlargement of buildings or other structures; an initial purchase of furniture, apparatus, and other equipment.

(c) "Operating expense" means those funds devoted to or required for the regular or ordinary expense of the college, including administrative, maintenance and salary expenses, but excluding capital outlay expenses, student activity expenses, and expense for intercollegiate athletics.

(d) "District" means the geographic area included within the one or more counties or cities participating in or intended to participate in the establishment and maintenance of a Community Junior College.

(e) "State Community Junior College Board" means The Commission on Coordination of Higher Educational Finance.

SECTION 2. STATE COMMUNITY JUNIOR COLLEGES. Pursuant to the authority granted by Amendment No. 52 to the Constitution of the State of Arkansas, there is hereby authorized the establishment of Community Junior College districts to be formed, financed and governed as hereafter provided. The tax authorized to be levied under Amendment No. 52 shall not exceed ten (10) mills on the taxable real and personal property of the district. The millage approved by the electors shall be a continuing levy until reduced as provided herein.

SECTION 3. The Commission on Coordination of Higher Educational Finance is designated to act as the state-wide coordinating board for the Community Junior Colleges established in conformity with this Act. When the Commission on Coordination of Higher Educational Finance is acting as the "State Community Junior College Board" the

Commissioner of Education shall become an ex officio non-voting member of such Board. The said Board shall have the following duties and powers:

(a) It shall function as a coordinating agency between the Community Junior Colleges, the public schools, Universities and State Colleges, and other educational institutions in Arkansas. In relation to the senior institutions of the State it shall work with them and the Community Junior Colleges to develop the criteria for transfer of credits of students entering senior institutions from State Community Junior Colleges.

(b) It shall set forth the criteria in conformity with, but not limited to the provisions of this Act for the establishment of Community Junior College districts. In addition to the specific requirements set forth in this Act, the criteria shall provide for size and location of sites for the proposed college, nature and extent of the program, size and type of buildings required.

(c) It shall develop objective criteria for the determination of the requirements in Section 7 of this Act.

(d) It shall upon request of said citizens' groups develop a tentative budget to determine the annual cost of the operation of such a program, and the amount of this cost which would be an obligation of the proposed district in accordance with this Act.

(e) It shall act in an advisory capacity concerning changes and expansion of the program of said institutions.

(f) It shall establish the required minimum qualifications for the President of a Community Junior College.

(g) It shall develop a uniform budget format and accounting and reporting procedures to be used by all Community Junior Colleges.

(h) It shall, with Joint Legislative Auditing Committee, determine that State funds are used in conformity with the grants of such funds.

SECTION 4. LOCAL CONTROL. (a) Local control of Community Junior Colleges shall be vested in a local Board, to be composed of nine (9) qualified electors of the Community Junior College District. The initial Board shall be appointed by the Governor with the advice and consent of the Senate. At the expiration of the term of member, as hereinafter provided, his successor shall be elected from the district at large at the same time and in the same manner as provided by law for State and county officials. In selecting members for the initial Board and at subsequent elections their residence shall be such as to give representation to each part of the district. The term of office shall be for six (6) years. The members of the initial board shall draw for terms and position as follows: Three (3) members for two (2) year terms; three (3) members for four (4) year terms and three (3) members for six (6) year terms. After the term has been established for each member they shall draw for positions numbered one (1) through nine (9). Successor candidates shall be elected at the biennial general election and shall run for the numbered position vacated by the outgoing member.

(b) The powers and duties of the local Board shall be as follows:

(1) To select its own Chairman and such other officers as it may deem desirable, from among its own membership.

(2) To adopt and use a seal.

(3) To determine, with the advice of the State Junior College Board, the educational program of the college.

(4) To appoint, with the advice of the State Junior College Board, and fix compensation and term of office of a president of the college, who shall be executive officer for the Board and for the college.

(5) To appoint, upon nomination of the president, members of the administrative and teaching staffs and to fix their compensation and terms of employment.

(6) Upon recommendation of the president, to appoint or employ such other officers of the college, agents and employees as may be required to carry out the provisions of this Act and to fix and determine their qualifications, duties, compensation, terms and conditions of employment.

(7) To grant diplomas and certificates.

(8) To enter into contracts.

(9) To accept from any government or governmental agency, or any other public or private body, or from any other source, grants or contributions of money or property which the Board may use for or in aid of any of its purposes.

(10) To acquire, own, lease, use and operate property, whether real, personal, or mixed, which is necessary for college purposes.

(11) To dispose of property owned by the college which is no longer necessary for college purposes upon such terms and conditions as shall meet the requirements for State agencies.

(12) To exercise the right of eminent domain in the manner authorized by law for state supported institutions of higher learning.

(13) To make such rules and regulations not inconsistent with the provisions of this Act or with the rules and regulations of the State Community Junior College Board as are necessary for the proper administration and operation of the college.

(14) To exercise all other powers not inconsistent with the provisions of this Act which may be reasonably necessary to the establishment, maintenance and operation of a Community Junior College.

SECTION 5. FORMATION OF JUNIOR COLLEGE DISTRICTS.

(a) Upon request of a citizens' group, representing a proposed Community Junior College District, the State Community Junior College Board shall assist in the study of such proposed District to determine whether its formation would meet the requirements of this Act and the criteria established by the State Board for the formation of such District. As provided in Section 3 of this Act, the State Agency shall make all necessary studies to determine the feasibility of the proposed District.

(b) Upon certification of the State Board that the formation of the proposed District is feasible and would conform to the requirements

of this Act, the qualified electors of such proposed district may, by petition, have an election called to determine whether such district shall be formed.

(c) The petition calling for such an election shall be signed by not less than ten percent (10%) of the qualified electors of said district, based upon the total number of votes cast therein for all candidates for the office of Governor in the last general election. Where there is more than one county or city in the proposed District, such petitions shall include signatures of not less than ten percent (10%) of the qualified electors of each such county or city and the aggregate of such signatures shall represent not less than ten percent (10%) of the qualified electors of the entire proposed district as determined by the total votes cast for all candidates for the office of Governor at the last most recent general election in each such county or city. The petitions calling for said special election shall describe the area of the proposed district, the proposed maximum rate of millage to be levied for the support of the district, and the amount of such millage that may be pledged for bonded indebtedness purposes of the district. The petition shall be filed with the Secretary of State of Arkansas. Within ten (10) days of the receipt and verification by the Secretary of State of the sufficiency of such petitions, he shall notify the County Board of Election Commissioners in the county or counties in the proposed Community Junior College District that an election shall be held in the area described in the petition, as certified by the Secretary of State, to determine whether such District shall be formed. The date of such election shall be set by the Secretary of State at a time not less than thirty (30) days from the date of notification of the Board of Election Commissioners.

(d) The ballot for the election shall state the purpose of the election, giving the names of the county, counties, city or cities in the proposed district, the proposed rate of ad valorem tax to be voted upon, and the purposes for which such tax shall be used, including the amount thereof to be pledged for bonded indebtedness purposes. The form of the ballot shall be as follows:

☐ FOR the establishment of a Community Junior College District, and authorizing the levy of a tax not to exceed . . . mills on the taxable property of the district to be used for the support of such Community Junior College, and authorizing the pledging of not to exceed . . . mills of the aforementioned tax for the issuance of bonds at interest not to exceed four per cent (4%) per annum, to mature not more than 30 years from the date of issuance, to provide funds for the construction and furnishing of buildings and facilities for such college.

☐ AGAINST the establishment of a Community Junior College District.

(e) The election shall be conducted by the County Board of Elections Commissioners in the manner provided by law for special elections, and the ballots thereat shall be marked by each elector, and the returns thereof shall be tabulated, certified and reported as provided by law. If a majority of the qualified electors of the proposed district voting thereon at such election shall vote FOR the establishment of such district, the same shall be established in the manner provided in this Act. If a majority of the qualified electors of the proposed district voting thereon at such election shall vote AGAINST the establishment

of such district, the same shall not be established and no new election for the establishment thereof shall be held for a period of one (1) year thereafter. Provided, that if the proposed district includes more than one county, the majority required for the purposes of this Act shall include not only a majority of the electors of the proposed district voting on such issue at the election but shall also include a majority of the electors voting on such issue in each county of the proposed district. If the proposed district is to be established by two or more cities, the majority required for the purposes of this Act shall include not only a majority of the electors of the proposed district voting on such issue at such election but shall also include a majority of the electors voting on such issue in each city of the proposed district.

(f) The ad valorem tax levied by a District, or so much thereof as shall be necessary, shall be a continuing levy until reduced in the manner provided herein. Such tax shall be collected and remitted to the District in the manner now provided by law for taxes levied by school districts.

(g) Said Community Junior College District may be dissolved and the millage tax voted repealed, with the exception of the millage required to service any outstanding bonds against the districts, upon approval thereof by a majority of the qualified electors of said district voting on said issue at an election called for such purpose. The question of dissolving the district and repealing the millage tax shall be submitted to the electors of the district at a special or general election upon petitions therefor, provided that the initiation of petitions calling for such election and the procedures calling for such election shall be in accordance with the requirement set forth in paragraph (c) of this section, for the formation of the district.

SECTION 6. FINANCING COMMUNITY JUNIOR COLLEGES. (a) General Operations. Funds for the general operation of the educational program of the college shall be provided from the following sources: (1) student fees; (2) taxes levied by the district; and, (3) state revenues. The costs of general operations shall be as nearly as possible divided between the aforementioned three sources. Prior to the beginning of each fiscal biennium, a proposed budget for operations for each year of the biennium shall be developed by each Community Junior College and shall be submitted to the State Board for review and approval. When such budget has been approved and certified by the State Board, the governing board of the college shall establish student fees at a level to yield one-third of the cost as established for the operating budget. The State Board shall certify to the Governor and the General Assembly the amount necessary from state revenues for each such college. The governing board of each college shall certify, within the time provided by law, to the tax levying agency of each county of the district the aggregate millage to be levied for the district for operating purposes and indebtedness purposes, and the same shall be levied and collected in the manner provided by law. If the amount of such budget to be supported from taxes levied by the district shall be in excess of the amount to be produced from taxes then authorized for the district, after allowing for revenues pledged for indebtedness purposes, the governing board of the college shall certify the additional millage required to the County Board of Election Commissioners, provided that such millage together with the rate then levied does not exceed ten (10) mills, and the question of the levy thereof shall be placed on the ballot

at the next following General Election. If the proposed additional millage shall be approved by the majority of the qualified electors of the district voting on such issue at such election, the same shall be a continuing levy until reduced as provided herein. Whenever the governing board of any college shall determine that the rate of tax levied by the district, including the amount thereof pledged for indebtedness purposes, is greater than the proportionate part of the operating budget of such district to be allocated thereto as certified by the State Board, the governing board shall certify the reduced rate of millage to the respective county officials of each county of the district charged with the duty of levying taxes in such county, and the reduced rate of millage shall be levied and shall be extended on the tax books of such county as the rate of tax due such Community Junior College District until a greater amount of tax shall be certified by the governing board of such college as authorized herein. For the purposes of making the reduction in millage levies as authorized above, the maximum rate of tax authorized by the electors of a Community Junior College District shall be considered the maximum rate of tax that may be levied, but a reduced rate of tax shall be levied as provided hereinabove whenever it shall be determined that such reduced rate of tax will produce the pro rata share of the operating budget of the district apportionable to taxes to be levied by the district. Provided, that in no event may the maximum rate of tax levied by a district exceed ten (10) mills on the taxable real and personal property of the district.

(b) Capital Outlay. Each Community Junior College District shall be responsible for all capital costs of the district, including the acquisition of lands, improvements thereto, buildings, facilities and initial equipment. Replacement of initial equipment of any building or facility of the district shall be considered as operating cost. For the purpose of acquiring land and for the construction, reconstruction, improvement or expansion of buildings and facilities and for the initial equipping of the same of any district, such district may issue bonds and pledge millage therefor in the same manner as now provided by law for the issuance of bonds by school districts in this State. Provided, that any millage pledged for bonded indebtedness purposes shall not be reduced so long as any of such indebtedness shall be outstanding. Provided, however, that if the revenues produced during any fiscal year from millage pledged from indebtedness purposes shall be in excess of the amount required for meeting the principal and interest maturities of such indebtedness during such fiscal year, the governing board of the district may provide for the transfer of any such excess amounts to the operating fund of the district for such fiscal year. As an additional means of securing any bond issue, a Community Junior College District may make an additional pledge therefor of surplus income derived from the operation of any auxiliary enterprise of such institution such as a dining facility, athletic gate receipts or similar auxiliary activities of the institution as authorized by law.

SECTION 7. MINIMUM REQUIREMENT FOR ESTABLISHMENT OF A COMMUNITY JUNIOR COLLEGE DISTRICT. Prior to the calling of an election for the establishment of a Community Junior College District the State Board of Community Junior Colleges must certify that the proposed Junior College will meet the following requirements:

(1) Site: That a site which meets the criteria established by the State Board is available.

(2) Students: That by objective analysis and projection the full-time student equivalent would be a minimum of 300 at the fall enrollment of the third year of operation.

(3) Local Income: That the assessment for ad valorem tax purposes of the proposed District, as published by State Assessment at the Arkansas Assessment Coordination Department of Public Service Commission, at the millage rate proposed would produce sufficient income for the district to discharge its financial obligation as required in the Act.

(4) Size of District: The size of the district shall be such that all students within the district are within commuting distance of the college.

SECTION 8. STUDENT FEES. (a) Tuition: The student fees, or tuition, authorized in Section 6 of this Act shall be used for educational purposes only.

(b) Activity Fees: To provide for a student activity program at the college, the governing board may levy a student activity fee not to exceed Twenty Dollars ($20.00) per semester per student.

(c) Out-of-District Tuition: Tuition for students who come from without the district shall pay an out-of-district fee equal to twice the fee charged for in-district students.

(d) Special Fees: The governing board of each community junior college may levy special fees for special programs, short courses, seminars or like activities at a level to defray the cost of such special activities.

SECTION 9. LIMITATIONS. (a) No tax shall ever be levied or collected for the construction of dormitories, nor shall any community junior college construct, maintain or operate any dormitory for the housing of students.

(b) Participation of community junior colleges in intercollegiate athletic programs shall be limited to basketball.

SECTION 10. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

ARKANSAS CONSTITUTIONAL AMENDMENT NO. 52

SECTION 1. The General Assembly may by law provide for the establishment of districts for the purpose of providing community college instruction and technical training. The General Assembly shall prescribe the method of financing such community college and technical institutes, and may authorize the levy of a tax upon the taxable property in such district for the acquisition, construction, reconstruction, repair, expansion, operation and maintenance of facilities therefor.

SECTION 2. No such district shall be created and no such tax shall be levied upon the property in an established district except upon approval of a majority of the qualified electors of such proposed or established district voting thereon. Provided that any millage so approved by the electors of a district shall be a continuing levy until increased, reduced or repealed in such manner as may be provided by law, providing they shall ever remain a community college and shall never be extended into four-year institutions.